

### 3.24 REQUIRED PERMITS AND APPROVALS

Transportation projects must comply with a wide range of federal and state environmental laws and regulations, permits, reviews, notifications, consultations, and other approvals. **Exhibit 3.24-1** lists the permits, notifications, or concurrences that are required and must be obtained prior to project construction. Additional permits may be required for other activities, such as:

- ❖ Erosion control/grading
- ❖ Utility access, relocation, or surveying
- ❖ Construction, slope, and utility easements
- ❖ Access and authorizations for consistency with local plans and policies

Many of the approvals will be addressed through the National Environmental Policy Act process and documented in the Record of Decision (ROD).

**EXHIBIT 3.24-1**  
Summary of Permits and Approvals

Agency	Division	Activity
Federal Highway Administration		<ul style="list-style-type: none"> <li>❖ Preparation of EIS and issuance of a Record of Decision (ROD)</li> <li>❖ Issuance of an “Only Practicable Alternative” finding in regards to floodplain encroachment (Executive Order [EO] 11988)</li> <li>❖ Issuance of an “Only Practicable Alternative” finding in regards to construction in wetlands (EO 11990)</li> <li>❖ Approval of an Interchange Justification Report for a new or modified interchange on an interstate highway</li> </ul>
U.S. Army Corps of Engineers		<ul style="list-style-type: none"> <li>❖ Issuance of a Section 404 Permit for discharge, dredge or fill material within Waters of the U.S., including wetlands</li> </ul>
Federal Emergency Management Agency		<ul style="list-style-type: none"> <li>❖ Floodplain encroachment with possible Conditional Letter of Map Revision (CLOMR); Letter of Map Revision (LOMR)</li> </ul>
Colorado Department of Public Health and Environment	Water Quality Control Division	<ul style="list-style-type: none"> <li>❖ Clean Water Act Section 401 Certification for impacts to water quality</li> <li>❖ Clean Water Act Section 402 Permit for dewatering</li> <li>❖ National Pollutant Discharge Elimination System (NPDES) for stormwater discharge</li> <li>❖ Stormwater General Permit for Construction Activities</li> </ul>
	Hazardous Materials and Waste Management Division	<ul style="list-style-type: none"> <li>❖ Coordination and approval for Hazardous Materials handling and management plan</li> </ul>
	Air Pollution Control Division	<ul style="list-style-type: none"> <li>❖ Air Quality Permit for demolition and emissions from units used in construction such as asphalt plants, concrete plants, or rock crushing</li> <li>❖ Fugitive Dust Permit for construction</li> </ul>
Colorado Division of Parks and Wildlife		<ul style="list-style-type: none"> <li>❖ Senate Bill 40 Certification alteration of stream banks, stream channels, and riparian areas</li> </ul>
Colorado Historical Society Office of Historical Preservation		<ul style="list-style-type: none"> <li>❖ National Historic Preservation Act Section 106 effects determination for impacts to cultural resources</li> </ul>
Colorado Public Utilities Commission		<ul style="list-style-type: none"> <li>❖ License or Easement for construction of grade-separated railroad crossing</li> </ul>
Union Pacific Railroad		<ul style="list-style-type: none"> <li>❖ Temporary Occupancy License/agreement</li> </ul>
City of Pueblo		<ul style="list-style-type: none"> <li>❖ The City of Pueblo requires an MS4 permit for stormwater management and coordination for temporary occupancy of public rights-of-way during construction</li> </ul>